

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA,
et al. EX REL. JESSICA PENELOW
and CHRISTINE BRANCACCIO,

Plaintiffs,

v.

JANSSEN PRODUCTS, LP,

Defendant.

Case No. 12-7758 (MAS)(LHG)

Declaration of William H. Ellerbe, Esq.

FILED UNDER SEAL

I, William H. Ellerbe, am an attorney at Berger Montague PC, and am involved in this matter. I submit this Declaration in support of Relators' Memorandum of Law in Opposition to Defendant Janssen Products LP's Motion to Exclude the Expert Testimony of Israel Shaked and Ian Dew, being filed herewith. I hereby declare as follows:

1. Exhibit 1 is a true and correct copy of the Expert Report of Professor Israel Shaked, dated November 27, 2019;
2. Exhibit 2 is a true and correct copy of select pages of the Deposition Transcripts of Israel Shaked, dated August 28, 2020 and September 11, 2020;
3. Exhibit 3 is a true and correct copy of the Expert Report of Ian Dew, dated January 31, 2020.

4. Exhibit 4 is a true and correct copy of select pages of the Deposition Transcripts of Dr. Anupam Jena, dated August 24, 2020;

5. Exhibit 5 is a true and correct copy of select pages of the Expert Report of Dr. Anupam Jena, dated November 26, 2019.

6. Exhibit 6 is a true and correct copy of select pages of the Expert Rebuttal Report of Dr. Anupam Jena, dated January 31, 2020.

7. Exhibit 7 is a true and correct copy of the Rebuttal Report of Professor Israel Shaked, dated January 31, 2020.

8. Exhibit 8 is a true and correct copy of the Declaration of Professor Israel Shaked, dated January 14, 2021.

9. Exhibit 9 is a true and correct copy of the Supplement to the Rebuttal Expert Report of Professor Israel Shaked, dated August 10, 2020.

10. Exhibit 10 is a true and correct copy of select pages of the Expert Report of George Sillup, dated November 27, 2019.

11. Exhibit 11 is a true and correct copy of select pages of the Deposition Transcript of Mark Wilhelm, dated January 23, 2019.

12. Exhibit 12 is a true and correct copy of select pages of the Deposition Transcript of Sara Strand, dated February 7, 2019.

13. Exhibit 13 is a true and correct copy of select pages of the Deposition Transcript of Jessica Penelow, dated January 25, 2019.

14. Exhibit 14 is a true and correct copy of an email bates-stamped
Janssen PI 219917-19.

I hereby declare under penalty of perjury that the foregoing is true and
correct to the best of my knowledge.

Date: January 14, 2021

/s/ William H. Ellerbe
William H. Ellerbe
(NJ Bar No. 179952015)
BERGER MONTAGUE PC
1818 Market Street, Suite 3600
Philadelphia, PA 19103
215-875-3000
wellerbe@bm.net